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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ANNA C. COLLIER,

9 Plaintiff,

10 v.

11 SMARTPAK EQUINE LLC, et al.,

12 Defendants.

CASE NO. C22-5472 BHS

ORDER TO SHOW CAUSE

13 This matter is before the Court on its own motion. Plaintiff Anna C. Collier sued
14 Smartpak Equine LLC, Acavallo, and AmaHorse Trading SRL in June 2022, alleging
15 that a bit designed, manufactured, and sold by the three companies malfunctioned while
16 she was riding her horse, causing her to make an emergency dismount and sustain
17 injuries. Dkt. 1. She asserts claims of negligence, strict liability, and “third party
18 beneficiary,”¹ and seeks general and special damages. *Id.* ¶¶ 4.1–7.1.

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20 ¹ Collier asserts a “third party beneficiary” claim against AmaHorse Trading SRL. Dkt. 1,
21 ¶¶ 6.1–6.2. This is not a viable cause of action; however, the Court reads it to mean that Collier
22 asserts her other two claims, negligence and strict liability, against AmaHorse Trading SRL
under the theory that she is a third-party beneficiary to the purchase and sale agreement between
it and Acavallo following Acavallo’s insolvency.

1 On August 24, 2022, the Court ordered the parties to file a joint status report by
2 November 22, 2022. Dkt. 3. The parties have failed to do so, and nothing has happened in
3 the case since July. Therefore, Collier is ORDERED to SHOW CAUSE why this action
4 should not be DISMISSED without prejudice for failure to prosecute. She should do so in
5 writing within 21 days. If she does not, the matter will be dismissed without further
6 notice.

7 Dated this 5th day of December, 2022.

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10 BENJAMIN H. SETTLE
11 United States District Judge
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